



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,360	03/16/2001	Eugene M. Wolf	2502440-991501	7725
29585	7590	12/30/2005	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US LLP			BLANCO, JAVIER G	
153 TOWNSEND STREET			ART UNIT	
SUITE 800			PAPER NUMBER	
SAN FRANCISCO, CA 94107-1907			3738	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/811,360	3/16/2001	Wolf, Eugene M.	2502440-99/501
			EXAMINER
			J. G. Blanco
		ART UNIT	PAPER
		3738	20051223

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

DETAILED ACTION

Response to Amendment

1. The reply filed on October 6, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

a. Claim 8 is presumably currently amended (see line 6 for underlined portions: “and a non stem-bearing, stabilizing, non-intramedllary base extension”). However, the status identifier of said claims is: (previously presented). This does not comply with 37 CFR 1.121.

b. Claim 31 is presumably currently amended (see line 4 for underlined portion: “and a non stem-bearing, stabilizing”). However, the status identifier of said claims is: (previously presented). This does not comply with 37 CFR 1.121.

c. Claim 42 is presumably currently amended (see line 4 for underlined portion: “and a non stem-bearing, stabilizing”). However, the status identifier of said claims is: (previously presented). This does not comply with 37 CFR 1.121.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 3738

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javier G. Blanco whose telephone number is 571-272-4747. The examiner can normally be reached on M-F (9:00 a.m.-6:00 p.m.), first Friday of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (571) 272-4754. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

JGB



December 23, 2005



David H. Wilse
Primary Examiner